

Exhibit A1

OIS: [REDACTED]

STATEMENT OF [REDACTED]
DATE: APRIL 7, 2016

POLICE INCIDENT REPORT NO: OIS [REDACTED]

Q: Jonathan Mobley. I'm with the District Attorney's Office.

A: Hey Jonathan.

Q: And so [REDACTED], first off, can I ask you your name?

A: [REDACTED], and that's with two [REDACTED]s, so it's [REDACTED]

Q: And your last?

A: [REDACTED]

Q: Mm-hmm.

A: With a [REDACTED], so.

Q: And your birthday?

A: [REDACTED].

Q: And phone number?

A: My- I'm getting ready to leave the HOT Team, so I'm gonna give you both numbers.

Q: Okay.

A: My personal is [REDACTED]

Q: Mm-hmm.

A: [REDACTED].

Q: Mm-hmm.

A: And my HOT Team phone number is [REDACTED]. And my last day with HOT is [REDACTED].

Q: Okay.

A: No but I'll be workin' for [REDACTED].

1 Q: Okay. How long you been workin' with the HOT Team?

2 A: [REDACTED].

3 Q: Okay. Alright. Do you have an e-mail address?

4 A: I do. Let me give you my personal-

5 Q: Okay.

6 A: Again, because I'm leavin' the HOT Team and if you need
7 to contact me in the future. So it's gonna be [REDACTED]

8 Q: Mm-hmm.

9 A: [REDACTED].

10 Q: Okay.

11 Q: Okay. Were you workin' with anybody today on the HOT
12 Team?

13 A: Yeah. I was with [REDACTED].

14 Q: [REDACTED]. We'll get his ID. How long you been
15 workin' with [REDACTED]?

16 A: [REDACTED] has brand new. [REDACTED]'s been on the grave shift.
17 I'm actually in process of training [REDACTED] to take my position-

18 Q: Okay.

19 A: As (unintelligible). We're normally assigned to the
20 Tenderloin-

21 Q: Mm-hmm.

22 A: But our utility responder had a call this morning-

23 Q: Mm-hmm.

24 A: Very early this morning. It was reported that they
25 heard a baby in a tent.

26 Q: Mm-hmm.

27 A: The Mission Team already had preexisting appointments,
28 so I said well, I'll go see if we can find a tent with a baby in

1 it.

2 Q: In the Mission?

3 A: In the Mission. And they said be good experience to
4 take [REDACTED].

5 Q: So this is, this- the information you're tellin' me
6 about the baby in the tent is what got you out to Shotwell
7 Street?

8 A: Mm-hmm.

9 Q: Okay. Did- tell me a little bit more about that. I
10 mean, your supervisor gets notification about this and wants you
11 to go out?

12 A: No. So what happened was- so our utility responder-
13 they start at 5:30 this morning.

14 Q: Mm-hmm.

15 A: I'm not sure if the call came through the desk or she
16 happened to be at Starbucks on 17th and Bryant but three store
17 owners approached her and they were complaining about the long
18 line of tents-

19 Q: On Shotwell.

20 A: On Shotwell-

21 Q: Okay.

22 A: And that, you know, that- I mean, they were pretty
23 graphic about, you know, there's prostitutes, there's-

24 Q: Yeah.

25 A: You know- and then there's a tent with a blue tarp that
26 has a baby that they hear crying.

27 Q: Okay.

28 A: So she got overwhelmed and she was- because she's a

1 utility responder. She's not outreach. She just-

2 Q: Yeah.

3 A: Does the transport. She called me on the phone. This
4 is about 6:20.

5 Q: Mm-hmm.

6 A: I talked to one of the gentlemen on the phone and I
7 came- she picked me up. I went into the office and I had talked
8 to the Mission Team and told them what was reported and who I had
9 talked to, you know, what I-

10 Q: Mm-hmm.

11 A: And they're, like, well, we already have existing
12 appointments. And I'm, like, well, this is- reported a baby in a
13 tent, so. Yeah, I been with HOT Team for 10 years. It's nothing
14 for me to take the lead on something. I'm, like, you know what?
15 That's fine. I'll go do it.

16 Q: Okay.

17 A: And if you could-

18 Q: What time did you get out to Shotwell?

19 A: I would say 8:30-ish.

20 Q: Okay. And when you got out there, what happened next?

21 A: So we- I pulled upon Shotwell. And I don't know if
22 you've been out there but it's a-

23 Q: Mm-hmm, yeah, we were there.

24 A: Pretty, it's a pretty significant area of tents- but
25 when we pulled up, the gentleman that's in question, he was
26 kicking a basketball and it was bouncing off of people's cars.
27 And then he was, like, just, like, randomly kickin' the ball into
28 cars.

1 Q: Okay. So let's- when you pulled onto Shotwell Street,
2 did you pull on closer- did you pull on off of 19th or off of 18th
3 or do you remember?

4 A: See, I thought I was between 17th and 18th.

5 Q: 17th and 18th. Okay. On the [REDACTED] block of Shotwell?

6 A: Yeah. I was right behind the- I was- the [REDACTED].

7 Q: Yeah.

8 A: So I was in the- I was closer to the-

9 Q: [REDACTED] building?

10 A: Yeah. I could see- like, it was just starting cyclone
11 fence-

12 Q: Okay.

13 A: Is where I was parked.

14 Q: Okay. And so when you- you mentioned this gentleman
15 kickin' a soccer ball?

16 A: It wasn't a soccer ball, it was a basketball.

17 Q: Or basketball, rather.

18 A: Yeah.

19 Q: Okay.

20 A: And he was kickin' it around and it was bouncin' and
21 hittin' cars.

22 Q: Mm-hmm.

23 A: And my partner [REDACTED] had made mentioned that, you know,
24 somebody- the ball was being kicked at my car and it pissed me
25 off. And-

26 Q: Mm-hmm.

27 A: Then a gentleman came out of one of the buildings. I
28 don't know- he walked by the guy. He walked over to his car,

1 kinda looked around his car. I think he was thinking- I mean, I
2 don't know what he was thinkin' but it- the ball was being
3 bounced everywhere.

4 Q: Now, was he kickin' it on the [REDACTED] side, the tent side-

5 A: Um-um.

6 Q: Or was he-

7 A: The other side.

8 Q: Kickin' it on the other side of the street over the-
9 yeah.

10 A: The other side, the side that we parked on.

11 Q: Okay.

12 A: So we were right across the street from that, the, you
13 know, the- where the tents and stuff were.

14 Q: Okay.

15 A: I had a very targeted tent that I was looking for-

16 Q: Sure.

17 A: 'cause what was reported to me was a large tent with a
18 blue tarp-

19 Q: Mm-hmm.

20 A: Is where they heard the cries of the baby. So, you
21 know, he was there, bounced the ball. We- so the utility
22 responder that talked to the gentleman this morning, I had talked
23 to her on the phone and I said I'm over in the area. She's,
24 like, well, I'll meet you over there 'cause I could show you.

25 Q: Mm-hmm.

26 A: So we waited a few minutes, just kind of observing the
27 area, taking note of the area. [REDACTED] and I were just talking.
28 We're standin' outside the car. We're waitin' for [REDACTED] to

1 show up. [REDACTED] shows up. We all- we started headin'- [REDACTED]
2 and I head across the street to a large tented area but not- to
3 the right side of where all the garbage- and the tents went down
4 that way. And then there was a pile of garbage and then there
5 was a tent and then two other tents- which was a larger tent with
6 a blue tarp, which was-

7 Q: Okay.

8 A: My target.

9 Q: Okay.

10 A: So I stopped at the first tent. [REDACTED] started to walk
11 over. She got a call. She's, like, oh, I gotta leave. I got a
12 call. So she left. And I was, like, so, at least, is this the
13 area? She's, like, yeah, this is the area. I was, like, okay.
14 See you later. At least I know I was in the right area.

15 Q: Mm-hmm.

16 A: So we talked to the first lady and, you know, we got
17 some information, what she needed, whatever, you know, regular-

18 Q: Do you know her first name? Do you remember?

19 A: I do. I have her, actually, written down.

20 Q: What was it?

21 A: [REDACTED].

22 Q: [REDACTED]. Okay.

23 A: Mm-hmm.

24 Q: So you talked to her.

25 A: Talked to her, you know, got her story-

26 Q: Mm-hmm.

27 A: Really, you know, asked has she had any previous
28 engagement with the HOT Team, who was she working with, what was-

1 | you know, that- you know, the hard memo-

2 | Q: Mm-hmm.

3 | A: Engagement. I don't know if you need word for work.

4 | Q: No. No. No.

5 | A: You know, just the normal- after, you know- so what's
6 | the deal about a baby out here?

7 | Q: Mm-hmm.

8 | A: She said there's no baby out here but, you know, that
9 | lady in the- the lady down there is really [REDACTED]-

10 | Q: Mm-hmm.

11 | A: [REDACTED]. And that was
12 | the tent that I was targeting.

13 | Q: Okay. Do you know the [REDACTED] name?

14 | A: [REDACTED].

15 | Q: [REDACTED]. Okay. Good. Okay.

16 | A: [REDACTED], mm-hmm.

17 | Q: So that tent, did you eventually make contact with the
18 | people in that tent?

19 | A: I did.

20 | Q: Okay. So [REDACTED]?

21 | A: And [REDACTED].

22 | Q: [REDACTED]?

23 | A: Mm-hmm.

24 | Q: Okay. So you did speak with them?

25 | A: Mm-hmm.

26 | Q: Okay.

27 | A: And then so- which was random because I just said, was,
28 | like, oh, wait. I heard in the office this morning when we were

1 talkin' about it, possibly a baby in a tent. Oh, that- now,
2 there's a [REDACTED] out there. I know she has an appointment at
3 [REDACTED] [REDACTED]. So I was, like, I'm, I'm- [REDACTED], I'm glad
4 I ran into you. You have an appointment today.

5 Q: Mm-hmm.

6 A: Gave her the information, then we started to go, kinda
7 head back. And, you know, I couldn't talk to [REDACTED]. And I was,
8 like, you know, there's no baby out here.

9 Q: Sure.

10 A: And that area down there just, like- there's- there was
11 so much garbage and just- the one guy who looked like- that was
12 sittin' in the lounge chair looked like he was [REDACTED], was talking
13 kinda out loud and he wasn't speakin' English. He was- I think
14 he was speakin' Spanish. Maybe [REDACTED] or something 'cause
15 he's, like, a dark Latino, maybe- looked- he looked black but-

16 Q: Mm-hmm.

17 A: Sittin' in a chair smokin'. He was talkin'. You know,
18 a girl had rode up on a bike and she- he was talkin' to her and
19 it wasn't in English.

20 Q: Mm-hmm.

21 A: Neither [REDACTED] or I speak Spanish. And then there was
22 the guy that had had the ball. He crossed over and he was in the
23 area.

24 Q: Mm-hmm.

25 A: So I was, like, you know, there's no baby out here. So
26 we started to just kinda mosey on back down to the car and I was,
27 like, oh shit. I'm, like, [REDACTED], look at him. Like, he- the
28 guy that originally- it was a red-

1 Q: Was kickin' the ball.

2 A: Yeah, was kickin' the ball, red t-shirt, blue jeans,
3 Latino male with long hair, pretty disheveled. When he was
4 kickin' the ball when we first pulled up, he was on our side of
5 the street. He appeared to be kinda, to me because- and I'm just
6 sayin' that. I don't really, like, judge people. He did seem to
7 be altered, to me.

8 Q: When you say that, what do you mean specifically?

9 A: Mm, he had, like, clenched teeth like maybe he was on
10 speed or, you know-

11 Q: He was- you have 10 years of experience of coming into
12 contact with people who have substance abuse.

13 A: Right.

14 Q: So when you say-

15 A: I-

16 Q: Yeah.

17 A: To me it looked like he'd been up all night-

18 Q: Okay. So-

19 A: Yeah.

20 Q: Was it more for- did he look- and that's why I'm tryin'
21 to-

22 A: Uh-huh.

23 Q: Make the distinction between did he look more fatigued
24 versus being tired from lack of sleep or did he look more-

25 A: More altered.

26 Q: More altered like he was under influence or-

27 A: He looked more- he looked haggard, altered, yeah.

28 Q: Okay. So he was more hyper and-

1 A: Yeah.

2 Q: Just kinda disjointed, distorted, in terms of lack of
3 focus?

4 A: Lack of focus. And that's just my- because I've been-

5 Q: Yeah.

6 A: Doing this for a long time plus-

7 Q: Uh-huh.

8 A: I have a lot of experience-

9 Q: Yeah.

10 A: In this area.

11 Q: Right, right.

12 A: That was my gut feeling.

13 Q: Okay, yeah.

14 A: It was, like, this this guy's altered.

15 Q: Okay.

16 A: You know what I mean?

17 Q: Mm-hmm.

18 A: So I didn't-

19 Q: So initially you see- let's skip-

20 A: Mm-hmm.

21 Q: Your interaction with [REDACTED] and all that. Let's
22 talk about initially you pull up on scene. You make note of him
23 kickin' the ball against-

24 A: Mm-hmm.

25 Q: Cars. Did you actually see him kick the ball?

26 A: Mm-hmm.

27 Q: Okay. So then you just- you know he's in the area.

28 A: Mm-hmm.

1 Q: You go about your business. You're about to leave and
2 now you observe him again.

3 A: Right. And he's across the street.

4 Q: Okay.

5 A: And he comes- so there's trees, tents, there's a lot of
6 crap over there. So we come down and I'm, like- I was, like, oh
7 shit. I'm, like, [REDACTED], he's got a big fuckin' knife.

8 Q: Mm-hmm.

9 A: And he's, like, whaling it. Right?

10 Q: Mm-hmm.

11 A: And he, like, stops and he kinda glances over at us and
12 he just kinda stand there like this, you know what I mean, like-

13 Q: Mm-hmm.

14 A: Pointing it. We're, you know, we're gettin' in- at this
15 point we're in- gettin' in the car. And he's just kinda like
16 this, right, in, like, this gorilla kind of- but, you know, just
17 on the opposite side of the street. And then he turns and he,
18 like, whacks at some garbage or something.

19 Q: Mm-hmm.

20 A: And then he starts to walk down the street and he's got
21 this knife. And I'm, like, shit, that's a really big knife,
22 like, you know- and, of course, I'm already thinkin' that he's
23 altered, kind of, you know, not really- and he's headin' towards-
24 you know, he's past the first tent of the [REDACTED] but I don't
25 know if she's out- I don't know if she was outside or not. I
26 don't remember now.

27 Q: Mm-hmm.

28 A: And, you know, like, you could just see the knife. So

1 I'm, like, you know, I just can't let this one go, I cannot, you
2 know, so at first I tried to call non-emergency-

3 Q: Mm-hmm.

4 A: And I couldn't get through. And it had, you know, did
5 the whole little ringing, the IT-

6 Q: Sure.

7 A: Sounds, like, three different times and then at this
8 point I'm, like, you know what? [REDACTED] is, like, you know, you
9 should probably just call 911.

10 Q: Okay.

11 A: So I called 911 and I'm on the phone with the 911
12 operator and, you know, she's havin' a hard time hearing me, so
13 I'm, like, having to repeat myself. And, you know, she's, like,
14 well, will the officers be on scene? And I said, you know, I
15 really don't wanna make contact with the officer for, you know,
16 reasons that we don't wanna, you know, we don't wanna be
17 associated with calling police-

18 Q: Mm-hmm.

19 A: Because it breaks our rapport with the folks that we're
20 tryin' to make-

21 Q: Absolutely.

22 A: Progress with. Right?

23 Q: Absolutely.

24 A: And she's, like, oh. Okay. Well, the cop pulls up in
25 a- like, an SUV-

26 Q: Mm-hmm.

27 A: Kind of a utility and he's like this. So you got this-

28 Q: The cop is like this?

1 A: Yeah, he's, like- because he doesn't see the guy, right,
2 and-

3 Q: Okay.

4 A: We know that he's down further. He had already passed
5 him.

6 Q: Okay.

7 A: He didn't- and-

8 Q: He drove past him?

9 A: He had drove past him-

10 Q: Okay.

11 A: 'cause now my partner's outta the car because I'm on the
12 phone with 911. And I'm seein' him walk but we didn't see him go
13 all the way down. And it looked like he had stopped at the tent
14 of [REDACTED], who is-

15 Q: When you say he, you're talkin' about the police
16 officer?

17 A: No, the-

18 Q: The person with the knife.

19 A: The person with the knife.

20 Q: Okay. The person with the knife-

21 A: Right.

22 Q: Stopped at [REDACTED]'s tent.

23 A: So, like, I'm on the phone. [REDACTED] gets outta the car
24 and he's kind of watching. Right? So the cop stops and I'm
25 still on the phone with 911 and I'm, like, oh, the, you know, the
26 cops are here. You know? Okay. I'm gonna go now 'cause I don't
27 wanna be in the area, right, but he's like this at me. Like, I
28 guess he didn't see the guy.

1 Q: Mm-hmm.

2 A: Right? And so I roll my window down and I'm, like, he's
3 back there. And [REDACTED] is, like, yeah. He's, you know, he's
4 back that way. So he continues on like he's gonna circle around
5 the block.

6 Q: Mm-hmm.

7 A: I'm- you know, I don't wanna be in the area 'cause I
8 don't wanna be associated. It just really severs our-

9 Q: Absolutely. I get it.

10 A: So we start to drive off. And there's another cop
11 coming up. And we see the guy and he's past the tent. And I had
12 told the 911 operator- is I think he's at the first tent.

13 Q: Mm-hmm.

14 A: And I didn't, you know- Travis was, like, hold up, hold
15 up. So [REDACTED] gets outta the car. And I stop in the middle of
16 the road and [REDACTED] gets outta the car and he's, like, tellin'
17 the- not the SUV but just a regular police car come up this way-

18 Q: Mm-hmm.

19 A: Which he does and [REDACTED] gets back in the car. We're
20 kinda holdin' it up. It's right before the stop sign. A police
21 officer- some police officers, they jump out. Like, all of a
22 sudden just there's cops everywhere but there was a police
23 officer, had, like, a rifle with- that was orange on the tip-

24 Q: Mm-hmm.

25 A: That was givin' him warnings, you know, and he fired it.
26 I think it was-

27 Q: Did you hear it and see it?

28 A: I did not hear it because I had the- I was in the car

1 with the door shut.

2 Q: Mm-hmm.

3 A: I did not hear it but I did see it because at this point
4 I'm stopped and I'm looking in the, you now, in the rear-view
5 mirror.

6 Q: So you're seeing this from your rear-view mirror?

7 A: I'm seeing this and [REDACTED] is in the seat, turned.

8 Q: Okay.

9 A: And, like, the- it looked like he fired it a couple
10 times, right, 'cause it kinda jumped.

11 Q: Mm-hmm.

12 A: And-

13 Q: And you're talkin' about the orange-

14 A: The orange-tip one.

15 Q: Okay.

16 A: And you could, you could just see the guy get, like-
17 he's up like this, like, 'cause he had been sitting on the
18 ground.

19 Q: Mm-hmm.

20 A: When we drove past him, he was sittin' on the ground
21 with the knife next to him.

22 Q: Okay.

23 A: I can only- all I know is the one with the orange tip
24 shot a few times. The next thing you know, you see the guy up-

25 Q: Mm-hmm.

26 A: Off the ground- 'cause I didn't see him at first and
27 then I seen- when I said the cop with the orange, I couldn't see
28 him hit- firin' at the guy. I just know that the guy was sittin'

1 there-

2 Q: Yeah.

3 A: But next, you know, you see the guy up.

4 Q: Okay.

5 A: And it's just like boom, boom, boom, boom-

6 Q: Mm-hmm.

7 A: Like, five shots and the guy was down, like.

8 Q: Mm-hmm. When you saw the guy in the red shirt, as you
9 describe up, he's standing up?

10 A: He's standing up with- like he was gonna lunge towards
11 the cop-

12 Q: Okay.

13 A: With the orange tip.

14 Q: He was gonna go, he- the guy with the red shirt was
15 gonna lunge towards the police officer with the orange tip?

16 A: That's what it looked like to me from the rear-view
17 mirror. Like-

18 Q: Yeah.

19 A: He was up. I think, you know, I mean, the- he had fired
20 the pellet one.

21 Q: Mm-hmm.

22 A: Or if it's a pellet or air gun, I don't know what it is.

23 Q: Okay.

24 A: It just has an orange tip on it-

25 Q: Okay.

26 A: But it obviously didn't-

27 Q: You could see that officer at- initially, you couldn't
28 see the guy sitting on the ground?

1 A: Initially I could not see him.

2 Q: But at one point you could see the officer with the
3 orange shotgun- or orange-tipped gun-

4 A: Mm-hmm.

5 Q: And the guy in the red shirt, you could see them.

6 A: Both and the cop next to the-

7 Q: Okay. And then you said you think the guy in the red t-
8 shirt was gonna lunge?

9 A: It-

10 Q: Would you be able to say how far away you were? Are you
11 good with distance?

12 A: How far I was?

13 Q: Yeah. Like, in terms of car lengths, would you say?

14 A: I would say that I was, like, maybe just a little bit
15 longer than this room away.

16 Q: So it would be fair to say a car length away, a car and
17 a half?

18 A: Car and a half.

19 Q: A car and a half away? And as this is goin' on, you're
20 lookin' in your rear-view mirror-

21 A: Mm-hmm.

22 Q: Of your vehicle. What kind of car do you drive?

23 A: Honda Civic.

24 Q: Okay. And you got pretty good visibility? You're very
25 confident with that?

26 A: I'm very confident.

27 Q: Okay.

28 A: Yeah.

1 Q: Would you be able to say if this individual in the red
2 shirt, if he still had the knife in his hand?

3 A: He did.

4 Q: Okay.

5 A: The knife was totally- that was- it was, like, oh my
6 God, oh my God, like. You know what I mean? Like, it happened
7 really quickly, obviously.

8 Q: So initially when you described initially seein' the guy
9 with the knife in his hand and you waived your right arm, did
10 you- are- you're naturally right-handed?

11 A: Mm-hmm.

12 Q: Okay. Would you say this guy had the knife in his right
13 hand or left hand or would you-

14 A: I would 'cause he was sittin' on the ground.

15 Q: Mm-hmm.

16 A: When we drove by, he was sittin' on the ground and as
17 I'm driving up, the knife is in his hand-

18 Q: Mm-hmm.

19 A: In his right hand-

20 Q: In his right hand.

21 A: Because that's his right side-

22 Q: Okay.

23 A: Yeah.

24 Q: Okay. Alright. Carl, you have anything?

25 Q: And I'm just-

26 A: Yeah.

27 Q: More minimizing down to that sequence because I get the
28 gist of it, based on our investigation. It happened very

1 quickly.

2 A: Mm-hmm.

3 Q: Now, you say that when the officers first approached
4 the- I'll call the subject, the person in the red shirt-

5 A: Mm-hmm.

6 Q: He was seated on the curb?

7 A: On the curb.

8 Q: And he had the knife on-

9 A: In his hand.

10 Q: In his hand, pointed down to the ground or at least he
11 had it in his hand?

12 A: He had it in his hand. It was a big knife.

13 Q: Yeah, yeah.

14 A: You know? It would-

15 Q: And when you say big, how many inches would you think?

16 A: At least 10 to 12 or the biggest kitchen knife you can
17 get.

18 Q: So it looked like a kitchen knife, not a folding knife?

19 A: Oh no. It was a big kitchen knife.

20 Q: I see your hands are- look like it's a-

21 A: Yup.

22 Q: Foot and a half, so it's- it was a-

23 A: It was, like- the blade- I mean, it's, like, the biggest
24 knife that you could have in your kitchen.

25 Q: It's, like, a chef's knife that you see-

26 A: Yeah.

27 Q: In the kitchen that you use to-

28 A: Double-bladed.

1 Q: Chop, yeah, uh-huh.

2 A: And it was double-bladed. And I know that because when
3 I was in the- gettin' in the car and I was, like, telling my
4 partner, like, [REDACTED], I'm, like, shit-

5 Q: Okay.

6 A: He's got a big, fuckin' knife. Like, that's- yeah.

7 Q: So, now, we say two officers approached him, is that
8 what we're talkin' about, not three but two officers approached
9 him, from what you can see from your rear-view (unintelligible).

10 A: What I seen was- it happened that quick-

11 Q: Okay.

12 A: So I seen the taller officer with the orange-tip gun-

13 Q: Okay.

14 A: And then the other cop comes up. He's shorter. He had
15 dark hair.

16 Q: So when you- so you're saying you only see two officers?

17 A: I only seen two officers.

18 Q: Okay. And they're approaching him. How close do they
19 get to him, if you can judge, based on your vantage point?

20 A: Like, you and I-

21 Q: So we're about-

22 A: Maybe a little bit further.

23 Q: We're about- we're talkin' about, rough, four to eight
24 feet?

25 A: I would say eight- I would say about- from the rear-view
26 mirror, it looked like they were about six to eight feet away
27 from him.

28 Q: And they had- the officers had their weapons drawn on

1 him at the time?

2 A: I didn't see the other officer have his. I seen the
3 orange-tip gun.

4 Q: Okay. And did you hear any commands from the officers?

5 A: I had the window shut on the car.

6 Q: So you didn't hear anything, no yelling, no anything and
7 so forth?

8 A: Um-um.

9 Q: Did you ever see the subject with the red shirt stand
10 up?

11 A: Yes.

12 Q: Okay. And when he stood up, what did he do?

13 A: When- I don't know what he did because when he stood up,
14 his- all- that's when- when he stood, it was, like, stood and
15 shots at the same time.

16 Q: Now, in that sequence of standing and shooting, did he
17 make a movement, a gesture? We use the term furtive.

18 A: Right. I'm just gonna say that it looked like he was
19 gonna go like that.

20 Q: Okay. So you're making a jabbing-

21 A: All- it's, like, he was sitting on the ground and he
22 gets up. And because I didn't see him at first-

23 Q: Right.

24 A: So he's up and it's like this.

25 Q: Okay. So if he- and he's goin' in the direction at the
26 officers?

27 A: Yup.

28 Q: Okay.

1 A: That's what it appeared to, to me.
2 Q: And when you saw that, then you heard shots?
3 A: It was all simultaneously.
4 Q: Okay.
5 A: Yup.
6 Q: Alright. And what- do you remember or recall the number
7 of shots, if you even remember?
8 A: I wanna say it was at least four or five.
9 Q: Okay. Alright. Now, when you say you saw the officer
10 with the orange tip and you see that weapon pointed at the
11 subject, did you see that officer discharge any rounds?
12 A: The orange one?
13 Q: Yes.
14 A: Yeah, it looked like it. I didn't hear it. I didn't-
15 Q: But you saw the movement on the muzzle of the orange
16 gun.
17 A: Yeah, the movement of it, yes.
18 Q: And how many times did you see that, if you can recall?
19 A: I'm gonna say three-
20 Q: Okay.
21 A: At least.
22 Q: Okay. Alright. And once you see that quick sequence of
23 events, him standing up, him looking like he's advancing or
24 stepping towards the officers, and then you hear a discharge of
25 weapons, what happens after that?
26 A: I kinda lost it at that point.
27 Q: Okay.
28 A: I was- 'cause I was in the middle of the road

1 (unintelligible), and I'm, like, oh my God, oh my God, they just
2 shot- he just got shot. He just got shot. And [REDACTED] was, like,
3 okay. Okay. Yes. And I'm, like- and he's, like, pull over to
4 the side.

5 Q: Okay. And you just stood by until the rest of the
6 police officers arrived and-

7 A: Yeah. They- everybody showed up quickly and it was
8 Officer- what is her- Molina or- who knows me.

9 Q: Mm-hmm.

10 A: From years of workin' on the HOT Team.

11 Q: Right.

12 A: She, like, grabbed me and she- 'cause I pulled over. I
13 went through the stop sign. I pulled over in front of somebody's
14 garage.

15 Q: Okay.

16 A: And I- as soon as I seen her and I was- immediately came
17 walking back, yeah. And then it was, like, just, like, cops.
18 There was, like, so many cops already there, like, that quickly.

19 Q: So when you were- I'm just getting back to your looking
20 at them from the rear-view mirror. So did you, by chance, get-
21 raise up outta your seat or lift up while you were tryin' to look
22 to see a better view of- how much of the officer could you see
23 from your vantage point? Could you see-

24 A: I didn't lift up at all-

25 Q: You didn't lift up at all?

26 A: Because Civics sit really low-

27 Q: Mm-hmm.

28 A: And my- you know, so I had stopped. I- the car was

1 stopped because [REDACTED] had gotten out of the car to waive the
2 regular cop car out of- you know, to waive him down to point
3 where the guy was because the other officer went the other way.
4 So I was already sitting and it was parked in the middle of the-
5 you know, like, parked in the middle of the street. So [REDACTED] is
6 coming and getting back in the vehicle. He's back in and the
7 cops are already, by this point, out of their vehicle and
8 they're- I didn't see them. I was payin' attention to [REDACTED]
9 gettin' back in the vehicle, so I didn't see them descend on him-

10 Q: Mm-hmm.

11 A: But I did not have to raise up. I- it was just, like,
12 in, you know, right in my rear-view mirror.

13 Q: Okay.

14 A: [REDACTED] was turned.

15 Q: Hmm, he was turned.

16 A: He was turned, looking out the window. And I could see
17 the full length of the officer.

18 Q: Okay.

19 Q: Yeah, just to clarify, I understand the dynamic of the
20 Homeless Outreach Team. You're dealing with the homeless people,
21 tryin' to get them stabilized. And I realize that you're not
22 eager to call the cops-

23 A: Right.

24 Q: Because it kind of- it disturbs that relationship-

25 A: Right.

26 Q: That you're tryin' to build but today you did call.

27 A: I did call because I had a- it was one of those
28 feelings.

1 Q: Okay. And that feeling, can you describe that feeling?
2 A: Well, you know, like I said, when we pulled up, the
3 energy and the look on his face as he's kickin' the ball and it's
4 bouncin' into cars, and just his body motions were- the- it was a
5 different energy.
6 Q: Okay.
7 A: It was kind of an aggressive energy.
8 Q: Okay.
9 A: And then, again, when he, like- when we were walkin'
10 back at the car and I just seen him outta the corner of my eye
11 and the stance was like- you know, it was obvious that he knew
12 that I was- we were lookin' at him with the knife in his hand.
13 Q: Were you at any time afraid of this guy?
14 A: I chose not to go in Outreach to that group.
15 Q: Okay. Were you-
16 A: I just told it's not a good feeling.
17 Q: Okay. And how many times in the past have you called
18 the police?
19 A: For this kind of circumstances or-
20 Q: Yeah, in your- you've been doin' the Homeless Outreach
21 for 10 years. I mean, like I said, you're not really eager to
22 call the cops. You're-
23 A: I'm not 'cause I don't- I mean, like, I've had to do- I
24 mean, I've probably called the cops maybe three times to assist
25 me with 5150s.
26 Q: Okay.
27 A: Maybe, maybe two other times.
28 Q: Okay. In 10 years?

1 A: In 10 years.

2 Q: Okay. And this would be- would you say this would be an
3 extraordinary time or just a, you know, regular time? Was it-

4 A: No. This is a- this was an extraordinary. I mean, this
5 was- it wasn't- visually, it was not a good scene. His energy,
6 he seemed altered, he seemed aggressive and he was definitely
7 making sure that people seen that he was waivin' around a very
8 large knife.

9 Q: Okay. Okay.

10 Q: You have any questions Jon?

11 Q: Na, that'll be it.

12 Q: Okay. I just wanna put a proper timestamp on this. We
13 started the interview at 1225. This is a follow-up investigation
14 of an officer involved shooting today that happened in the 400
15 block of Shotwell. The case no. is [REDACTED] The approximate
16 time now is 1254 hours and this concludes this interview.

17 Q: Got it.

18 Q: Alright.

19 A: [REDACTED] would probably be much more helpful for you guys.
20 He's a- he just- he's an EMT, so he's used to bein' on an
21 ambulance.

22 Q: Uh-huh.

23 A: And he wasn't the driver. He was definitely the
24 observer.

25 Q: Okay. I'm gonna stop this. END OF INTERVIEW.

26

27 GEORGE
GASCÓN
DISTRICT
ATTORNEY

28 [REDACTED]: [REDACTED]